### STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

#### **DIVISION OF WATER RIGHTS**

#### **ORDER**

APPLICATION	20011		PERMIT	13161	LICENSE	

### ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AND AMENDING THE PERMIT

#### WHEREAS:

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- 1. Permit 13161 was issued to L. J. and E. Belle Esper on January 4, 1962 pursuant to Application 20011.
- 2. Permit 13161 was subsequently assigned to U. S. Bureau of Reclamation.
- 3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
- 4. The permittee has proceeded with diligence and good cause has been shown for the extension of time.
- 5. Permit Condition 7 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

#### NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 4 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE

December 31, 1997

(0000008)

2. Condition 5 of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE

December 31, 1998

(0000009)

3. Condition 7 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

Permit 13161 (Application 20011) Page 2

as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated

Walter G. Rettit, Chief Division of Water Rights

# STATE OF CALIFORNIA THE RESOURCES AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

#### ORDER

APPLICATION 20011

PERMIT 13161

LICENSE\_\_\_\_

#### ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING PERMIT

#### WHEREAS:

- 1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
- It appears that the permittee has proceeded with diligence and that good cause has been shown for extension of time and for the said change.

#### NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE

DECEMBER 1. 1985

CONSTRUCTION WORK AND APPLICA-TION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1987

2. Paragraph 7 of the permit be amended to read as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity

instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (000 00/2)

#### 3. Paragraph 11 be added to the permit as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

(0000013)

Dated:

MAY 1 5 1979

Michael A. Campos, Chief Division of Water Rights ORDER

APPLICATION	20011
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PERMIT\_ 13161

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### ORDER ALLOWING CHANGE IN CHARACTER OF USE AND PLACE OF USE

WHEREAS the State Water Rights Board has found that the change in character of use and place of use under Application 20011, Permit 13161, for which petition was submitted on February 20, 1964, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to change the character of use and place of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said Application 20011, Permit 13161, to character of use as follows, to wit:

STOCKWATERING, FIRE PROTECTION, FISH CULTURE AND RECREATIONAL USES, and
IT IS FURTHER ORDERED that permission be and the same is hereby granted to
change the place of use under said Application 20011, Permit 13161, to a place of use
described as follows, to wit:

AT RESERVOIR WITHIN  $NE_{4}^{1}$  OF  $SE_{4}^{1}$  AND  $NW_{4}^{1}$  OF  $SE_{4}^{1}$  OF SECTION 24, Tl2N, R8E, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of May, 1964

FORM 100

L. K. Hill Executive Officer STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



#### ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 20011

**PERMIT 13161** 

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13161; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

DATED: JAN 1 0 1968

K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE WATER RESOURCES CONTROL BOARD

#### **DIVISION OF WATER RIGHTS**

ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



#### ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

PERMIT 13161

APPLICATION 20011

WHEREAS A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD; AND

WHEREAS IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME;

WHEREAS THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS TO SIGN THIS ORDER;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE

**DECEMBER 1, 1972** 

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1974

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1975

DATED: AUG 24 1971

K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

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STATE OF CALIFORNIA-RESOURCES AGENCY

#### STATE WATER RIGHTS BOARD **ORDER**

APPI I	CATION	200	11

PERMIT\_13161\_\_\_\_

LICENSE\_\_\_\_

#### ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13161; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1967

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1967

APR 5 1967 DATED:

> 2. K. Liel EXECUTIVE OFFICER

MLE IN LUMICA

For the information conserved the fitting out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water

#### STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 20011 Filed February 28, 1961, at 2:39 P. M. (Applicant must not fill in the above blanks)

#### APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, L. J. and K. Belle Esper  Name of applicant or applicants	Notice of Assignment (Ove
of Cool	910 St. 1 - 3 -
Address California	de la contraction de la contra
	, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of Ca	lifornia, SUBJECT TO VESTED RIGHTS:
Source, Amount, Use and I	Location of Diversion Works
1. The source of the proposed appropriation is	Mnickerbocker Creek  name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
ocated in El Dorado County, tributary to	North Fork American River
2. The amount of water which applicant desires to app	propriate under this application is as follows:
(a) For diversion to be directly applied to beneficial use	cubic feet per 1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from Beginning date	Closing date of each year.
	ficial use 22 acre-feet
	1 acre-foot equals 325,851 gallons
per annum, to be collected between November 1  Beginning date	and April 1 of each season.
Note.—Answer (a) or (b) or both (a) and (b) as may be necessary. ay. Neither the amount nor the season may be increased after application upplied by the State Water Rights Board upon request.	If amount under (a) is less than .025 cubic foot per second, state in gallons per is filed. If underground storage is proposed a special supplemental form will be
3. The use to which the water is to be applied is	rigation Amended by order of 5-21-64
Domestic, irrig	gation, power, municipal, mining, industrial, recreational
Section 24, Tl2N, RSE, MDB&M,  Deing within the NE <sup>1</sup> <sub>14</sub> of SE <sup>1</sup> <sub>14</sub>	
State 40-acre subdivision of public land survey or projection the	
	Sec. 24 , T. 12N , R. 8E , M. D. B. & M.
State_40-acre subdivision of U.	. S. Government survey or projection thereof
Description of	Diversion Works
NOTE.—An application cannot be approved for an amount	grossly in excess of the estimated capacity of the diversion works.
6. Intake or Headworks (fill only those blanks which	apply)
(a) Diversion will be made by pumping from Sump, offset	well, unobstructed channel, etc.
	ingfeet in height (stream bed to
evel of overflow);feet long on top; and	constructed of
(c) The storage dam will be 18 feet i	n height (stream bed to spillway level); 210 feet
ong on top; have a freeboard of	be constructed of earth  Concrete, earth, etc.
Name	oir
The storage reservoir will flood lands in SE of NE	and NW1 of NE1 of SE1 of Section 24,
Indicate section or section.  It will have a surface area of 7.6 acres, and  In case of insufficient space for answers in form, attach extra shee  *Point of rediversion: N 650' and E 680'	s, also 40-acre subdivisions unless shown upon map 4 818 11 A 13103

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		including amount if known		(riparian, appropriative, purchased water, etc.)	
Source of Other Supply	Season of Use	Use made in recent years	Year of First Use	Mature of Right	
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1/33/67 PECEIVED NOTICE OF ASSIGNMENT TO U.S. Bureau of Reclamation

FORM 61-A

#### **IMPORTANT**

#### [Please Read Carefully]

- 1. Note the terms and conditions of this permit. Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
- 2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
- 3. No change in point of diversion, or place of use or character of use, can be made under this application and permit without the approval of the State Water Rights Board.
- 4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
- 5. Please advise immediately of any change of address. Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

### PERMIT No. 13161

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed 22 acre-feet per annum to be collected from about November, 1 of each year to about (0000005) April 1 of the succeeding year.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants. (000 0006)

June 1, 1962, 3. Actual construction work shall begin on or before 3. Actual construction work shall begin on or defore thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before

reagrings from the

December 1, 1964. (0000008)

5. Complete application of the water to the proposed use shall be made on or before

December 1, 1965. (00000009)

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

(000 0012) amended 5-15-79

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from 8. Permittee shall allow representatives of the State water Rights Doard and State with the terms of this permit.

9. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Rights Board, in order that water entering the reservoir or collected in the reservoir during and after the current storage season may be released into the downstream channel to the extent necessary to satisfy downstream prior rights and/or to the extent that appropriation of said water is not (0050043) authorized under this permit.

10. This permit does not authorize collection of water to storage during the period from about April 1 to about November 1 of each season to offset evaporation and seepage (000 0005) losses, or for any other purpose.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the the water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

13/61

Dated: JAN 4 1962

STATE WATER RIGHTS BOARD

L. K. Hier

Executive Officer

## ATTACH EXTRA SHEETS HERE

	irpose of serving
	having a present population of
The estimated average daily consumption during the month of	of maximum use at the end of each five-year period until the full
amount applied for is put to beneficial use is as follows:	
	3
16. Mining Use. The name of the mining property to be	e served is
and the nature	of the mines is
The method of utilizing the water is	
It is estimated that the ultimate water requirement for this p	
The water will be polluted by chemicals or otherwise	Capit test bet second, Santon bet mannet and
will not will	Explain nature of pollution, if any
	State 40-acre subdivision
Sec, T, R,	B. & M.
ர பக்கை 17. Other Uses, The nature of the use proposed is நாட் நாற் இருந்தி நாற்கு என்ற இருந்தின் இரு	Industrial, Pecrestional, domestic, stockwatering, fish culture, etc.
State basis of determination of amount needed.	ons, residences, area of domestic lawns and gardens dumber and kind of stock, type \
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Ge	eneral
18. Are the maps as required by the Rules and Regulation	ons filed with Application? Yes If not
state specifically the time required for filing same	
	nt of diversion? Yes
address of owner and state what steps have been taken to see	cure right of access thereto
20. What is the name of the post office most used by thos	se living near the proposed point of diversion?
Cool, California	
•	
21. What are the names and addresses of claimants of	water from the source of supply below the proposed point of
diversion? Notify Mrs. Dorothy	Lindquist
Nurses Quarte	ital
Highland Hosp	· · · · · · · · · · · · · · · · · · ·
Auburn, Calif	ornia
Auburn, Calif	ornia 1 of NE of Section 24)